

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Todd E. North on April 14, 2008.
3. The application has been amended as follows:

In the claims:

The following set of claims has replace the set of claims submitted with the amendment filed December 27, 2007.

Claim 1. (Currently Amended) A peptide consisting of~~[[:]]~~ the amino acid sequence of ~~SEQ ID NO:9 wherein an original amino acid at position 2 thereof is substituted with valine and wherein said peptide is immunogenic with lymphocytes directed against metastatic melanomas~~ SEQ ID NO: 2.

Claims 2-5. (Canceled)

Claim 6. (Currently Amended) A ~~vaccine~~ composition comprising the peptide of claim 1 ~~or a nucleotide sequence encoding said peptide~~.

Claim 7. (Currently Amended) The ~~vaccine~~ composition of claim 6, further comprising a pharmaceutically acceptable carrier or diluent.

Claims 8 and 9. (Canceled)

Claim 10. (Currently Amended) The ~~vaccine~~ composition of claim 6, characterized in that it further comprises one or more compounds selected from the group consisting of an adjuvant, one or more cytokines, antibodies directed against CD2, CD3, CD27, CD28 or other T cell surface antigens, and helper epitopes to stimulate CD4+ or CD8+ T cells.

Claims 11-17. (Canceled)

Examiner's Statement of Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

SEQ ID NO: 2 is the same as the amino acid sequence of SEQ ID NO: 9 but for the substitution of the amino acid at the second position (i.e., threonine) by valine.

The prior art does not teach or fairly suggest a peptide consisting of the amino acid sequence of SEQ ID NO: 2.

Support for the amendments to the claims is found throughout the specification, including the claims, as originally filed; see, e.g., paragraphs [0022], [0055]-[0061], [0065], and [0136] of the published application¹; and original claim 3.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Claims 1, 6, 7, and 10 have been allowed.

¹ U.S. Patent Application Publication No. 2004/0156861 A1.

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7. Claims 6, 7, and 10 have been renumbered as claims 2, 3, and 4, respectively.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen L. Rawlings whose telephone number is (571) 272-0836. The examiner can normally be reached on Monday-Friday, 8:30AM-5:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Helms, Ph.D. can be reached on (571) 272-0832. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen L. Rawlings/
Stephen L. Rawlings, Ph.D.
Primary Examiner, Art Unit 1643

slr
April 16, 2008